

# Order

Michigan Supreme Court  
Lansing, Michigan

October 25, 2013

Robert P. Young, Jr.,  
Chief Justice

147230

Michael F. Cavanagh  
Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 147230  
COA: 312664  
Oakland CC: 2011-235676-FH

TERENCE DARRYLE JENKINS,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the May 9, 2013 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J. For the reasons set forth in my separate dissenting statement in *People v Alexander*, 494 Mich 876, 878-879 (2013), I would remand this case to the trial court and require that court to articulate reasons explaining and justifying its specific upward departure from the sentencing guideline range in this case in accordance with *People v Smith*, 482 Mich 292 (2008).

MCCORMACK, J., joins the statement of MARKMAN, J.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 25, 2013

  
Clerk